

an article, and could not be deprived of that right, by an article in the Constitution expressly forbidding them to exercise such a power. He said that article in the Constitution, declaring that that Constitution should be perpetual, would be of no more binding force on the people of Virginia, than the concluding words often found in a treaty of peace, when it was declared that the articles of the treaty should be a perpetual league and covenant, between the high contracting parties. And that every man knew, that notwithstanding this "perpetual league and covenant," the "high contracting parties" were often at war again in a very short time after such treaties had been signed, without being charged even with any breach of moral obligations; and why is this true?

Because, Mr. President, every community has an inalienable right to seek its own safety and happiness.

In these opinions of Mr. Randolph, Mr. THOMAS said the Convention of Virginia with great unanimity concurred. Chief Justice Marshall, Mr. Madison, Mr. Giles, Watkins Lee, Mr. Mercer, and numerous other distinguished men being present. The article authorising the people to meet in Convention was rejected, notwithstanding which, the people of Virginia by their delegates are now in Convention assembled to change or abolish their Constitution.

Mr. CHAMBERS inquired of Mr. THOMAS whether, if by virtue of the supreme power of the people, a law, which had been unconstitutionally passed by the Legislature, had been made valid by the acquiescence of the people, and their subsequent action under it, it might not again occur, that the Legislature might pass an act, calling a Convention, and provide therein that these officers should be eligible to seats there, which by the acquiescence of the people might also be rendered valid?

Mr. THOMAS replied that at a proper time he would discuss that point. He was ready.

Some desultory conversation followed—after which,

Mr. JENIFER moved to amend the amendment, by adding the words "or practising lawyers."

Mr. BRENT, of Baltimore city, asked the yeas and nays, which were ordered, and being taken, were as follows:

*Affirmative*.—Messrs. Dent, Lee, Chambers of Kent, Mitchell, Wells, Kent, Bond, Brent of Charles, Merrick, Jenifer, Buchanan, Bell, Ridgely, John Dennis, Crisfield, Williams, Hicks, Goldsborough, Eccleston, Phelps, Jacobs, Gaither, Stephenson, Hardcastle, Fiery, Michael Newcomer, Davis, Weber, and Slicer—29.

*Negative*.—Messrs. Chapman, President, Morgan, Donaldson, Dorsey, Sellman, Weems, Dalrymple, Sollers, Welch, Sherwood of Talbot, Colston, Dashiell, Chambers of Cecil, McCullough, Miller, McLane, Bowie, Sprigg, Spencer, George, Dirickson, McMaster, Hearn, Thomas, Shriver, Biser, Sappington, McHenry, Magraw, Nelson, Carter, Thawley, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Presstman, Ware, John Newcomer, Kilgour, Anderson, Hollyday, Ege, Shower, and Cockey—44.

So the amendment to the amendment was rejected.

The question then recurred and was taken on the modified amendment of Mr. BRENT, of Baltimore city, and resulted as follows:

*Affirmative*.—Messrs. Sellman, Welch, Ridgely, Sherwood of Talbot, Colston, Chambers of Cecil, McCullough, Miller, McLane, Bowie, Spencer, George, Thomas, Shriver, Biser, Sappington, Stephenson, Magraw, Nelson, Carter, Thawley, Hardcastle, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Presstman, Ware, Fiery, John Newcomer, Michael Newcomer, Anderson, Hollyday, Slicer, Ege, Shower, and Cockey—36.

*Negative*.—Messrs. Chapman, President, Morgan, Dent, Lee, Chambers of Kent, Mitchell, Donaldson, Dorsey, Wells, Kent, Weems, Dalrymple, Bond, Sollers, Brent of Charles, Merrick, Jenifer, Buchanan, Bell, John Dennis, Crisfield, Dashiell, Williams, Hicks, Goldsborough, Eccleston, Phelps, Sprigg, Dirickson, McMaster, Hearn, Jacobs, Gaither, McHenry, Davis, Kilgour, and Weber—37.

So the amendment was rejected.

And the article was adopted.

The thirty-first article was then read and adopted as follows:

*Art. 31.* That a long continuance in the first executive departments of power or trust, is dangerous to liberty; a rotation, therefore, in those departments is one of the best securities of permanent freedom.

The thirty-second article was read as follows:

*Art. 32.* That no person ought to hold at the same time more than one office of profit, created by the Constitution or Laws of this State; nor ought any person in public trust to receive any present from any Foreign Prince, or State, or from the United States, or any of them, without the approbation of this State.

Mr. PARKE moved to amend by inserting after the word "that" in the second line, the following:

"Except as allowed elsewhere in this Constitution."

The amendment was rejected.

And the article was adopted.

The thirty-third article was read as follows:

*Art. 33.* That as it is the duty of every man to worship God in such manner as he thinks most acceptable to him, all persons are equally entitled to protection in their religious liberty; wherefore, no person ought by any law to be molested in his person or estate, on account of his religious persuasion or profession, or for his religious practice, unless under color of religion, any man shall disturb the good order, peace, or safety of the State, or shall infringe the laws of morality, or injure others in their natural, civil or religious rights; nor ought any person to be compelled to frequent or maintain or contribute, unless on contract to maintain any place of worship or any ministry.

Mr. RIDGELY moved to amend the said article, by inserting after the word "estate," in the fourth line, the following:

"Or suffer any civil or political incapacity."

Mr. RIDGELY explained his object. A fuller